

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BETSY FEIST,

Plaintiff,

11 Civ. 5436 (JGK)

- against -

ORDER

RCN CORP. and PAXFIRE, INC.,

Defendants.

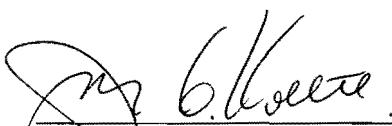
JOHN G. KOELTL, District Judge:

For the reasons stated on the record at the argument held September 18, 2012, the defendant's motion for leave to file sur-reply is **granted**; the defendant's motion for leave to amend its third affirmative defense is **granted**; and the plaintiff's motion to dismiss the counterclaims is **denied in part** and **granted in part**.

The Clerk is directed to close Docket Nos. 47, 55, and 71.

SO ORDERED.

Dated: New York, New York
September 18, 2012


John G. Koeltl
United States District Judge